

Application No. 10/018,319
Amendment dated May 18, 2005
Reply to Office action of Feb. 24, 2005

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REMARKS

Claims 23-29, 74, and 75 were pending in the application. Claims 23-29, 74, and 75 were rejected. Claims 23-26 are amended. Claims 23-29, 74, and 75 remain pending in the application. Claim 23 is the independent claim. Reconsideration of the amended application is respectfully requested.

The examiner rejected claims 24-29 and 75 under 35 USC §112, second paragraph, as being indefinite. The examiner noted that claims 24, 25, and 26 each depend from one of claims 21 and 22, which had been canceled. Claims 24-26 are amended to depend from pending claim 23. The rejection, therefore, should be withdrawn.

The examiner rejected claims 23-29, 74, and 75 under 35 USC §102(b) as being anticipated by Lessing et al.

Independent claim 23 recites a system for supplying a consumer with electrical power. The system includes a fuel cell device, a fuel tank device, and a pump device. The fuel cell device generates electrical power. The fuel tank device houses fuel to be supplied to the fuel cell device. The pump device is provided on the consumer side and supports a fuel supply from the fuel tank device to the fuel cell device. The fuel cell device is provided on the consumer and the fuel tank device is a module that can be inserted into the consumer to supply power and removed from the consumer. The fuel is supplied essentially by the pump device.

In contrast, Lessing et al. disclose a miniature ceramic fuel cell in which the fuel tank is fixed in place, that is, the fuel tank is not a module that can be inserted into and

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removed from the consumer. As shown in Fig. 1, the fuel tank 18 is fixed in place with respect to the rest of the power supply system 10 and the consumer (cell phone) 14. Lessing et al. do not disclose or suggest that the fuel tank 18 is a module that is adapted to be inserted into and removed from the consumer 14, as recited in claim 23. Other embodiments of the Lessing et al. fuel cell are shown and described in the reference; none of these embodiments includes a removable fuel tank, nor do Lessing et al. suggest providing a removable fuel tank. In fact, Lessing discloses that the housing of the cell phone completely encloses the components of the power supply, without suggesting that the fuel tank 18 is accessible for removal or replacement. Column 4, lines 37-41.

In summary, claim 23 recites a system for supplying a consumer with electrical power that includes a modular fuel tank device that can be inserted into the consumer to supply power and removed from the consumer, for example, for replacement or refilling. Lessing et al. do not disclose or suggest a modular, replaceable fuel tank, do not provide support for such a fuel tank, and do not acknowledge the advantage provided by such a fuel tank. For at least this reason, Lessing et al. do not anticipate the invention recited in claim 23. Claims 24-29, 74, and 75 all depend from claim 23, and therefore also are not anticipated by Lessing et al. The rejection, therefore, should be withdrawn.

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Based on the foregoing, it is submitted that all rejections have been overcome. It is therefore requested that the Amendment be entered, the claims allowed, and the case passed to issue.

Respectfully submitted,



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